

Notice of Allowability

Application No.

10/081,979

Examiner

Michael A Marcheschi

Applicant(s)

SINGH ET AL.

Art Unit

1755

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 6/18/04.
2. ☒ The allowed claim(s) is/are 1-11, 13, 17, 18, 24-29, 33, 36 and 37.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☒ to Paper No./Mail Date 4.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 6/18/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 7/7/04.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Michael A Marcheschi
Primary Examiner
Art Unit: 1755

Art Unit: 1755

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Neil R. Jetter on 7/7/04.

The application has been amended as follows:

Claim 1, line 1, after "(CMP)", insert --of a copper or silver containing film--.

Claim 1, line 3, cancel "a halogen comprising salt" and insert --a chlorine, bromine or iodine salt--.

Claim 1, line 4, after "F₂", insert --for reacting with said copper or silver film to form a soft layer on a surface of said film, said soft layer having a hardness less than said copper or silver film--.

Claim 7, line 3, cancel "[KIO₃].

Cancel claim 14.

Cancel claim 15.

Cancel claim 19.

Claim 33, line 1, after "(CMP)", insert --of a copper or silver containing film--.

Claim 33, line 5, cancel "<9" and insert --2 to 9--.

Claim 33, line 5, after "pH of...", insert --for reacting with said copper or silver film to form a soft layer on a surface of said film, said soft layer having a hardness less than said copper or silver film--.

Art Unit: 1755

Cancel claim 34.

Cancel claim 35.

Claim 37, lines 1-2, cancel "a halogen comprising salt" and insert --a chlorine, bromine or iodine salt--.

The following is an examiner's statement of reasons for allowance:

The claimed invention is novel over the prior art of record because said art fails to teach or suggest a slurry for CMP of a copper or silver containing film which comprises the claimed specific combination of components and wherein said slurry reacts with said copper or silver film to form a soft layer on a surface of said film, said soft layer having a hardness less than said copper or silver film. The new reference on the 892 (6,730,592 (Vaartstra)) is being cited but in view of the 131 declaration submitted on 6/18/04, which establishes that the instant invention was reduced to practice before the filing date (12/21/01) of the above reference. Finally, although pre-publication 20040043702 claims similar subject matter, according to MPEP 804 section IB, if the only rejection remaining is a provisional ODP rejection, said rejection can be withdrawn and the application passed to issue. In view of this, since a provisional ODP rejection, if made, would be the only rejection remaining, a provisional ODP rejection is not being made.

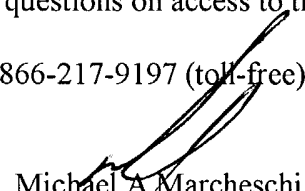
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Art Unit: 1755

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael A Marcheschi whose telephone number is (571) 272-1374. The examiner can normally be reached on M-F (8:00-5:30) First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark L Bell can be reached on (571) 272-1362. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Michael A Marcheschi
Primary Examiner
Art Unit 1755

MM
7/7/04